

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

	§	
United States of America,	§	
<i>Plaintiff,</i>	§	Civil Case
vs.	§	(CDCS: 2018A02218)
	§	
Joseph Rivera,	§	
<i>Defendant,</i>	§	
	§	

Complaint

1. Jurisdiction

The District Court has jurisdiction because a federal agency is a party to this action and under the express authority granted to it by the United States Constitution Article III, Section 2, 28 U.S.C. § 1345 (2013).

2. Venue

Venue is proper in the Southern District of Texas, Houston Division, because the defendant resides in El Campo and may be served at 809 Hayden, El Campo, Texas 77437. The defendant's process address is located in Wharton County. 28 U.S.C. § 1391 (2013).

3. Breach of Contract

a. Defaulted Note

This action seeks recovery of a debt owed to the United States. The defendant has not repaid the debt as agreed. The amount owed includes:

CDCS 2018A02218

Principal	\$ 3,543.97
Interest as of .	\$0.00
Attorney's fees	\$ 550.00
Balance due	<hr/> \$4093.97

Interest rate of 0% accrued at a daily rate of \$ 0.

The certificate of indebtedness, shows the total owed excluding attorney's fees and central intake facility charges. On the date of the certificate the principal and interest shown were correct after credits having been applied.

b. Failure to Pay

Demand for payment has been made by Plaintiff. Defendant has failed to pay the debt.

4. Prayer

The United States prays for the sums of the Balance due in paragraph 3 to include principal, interest, and attorney fees. Plaintiff prays for prejudgment interest through the date of judgment and other fees that the Court deems proper.

Respectfully submitted,

/s/ Clifton C. Kyle

Clifton C. Kyle
Kyle Law Group, P.C.
Attorney for United States of America

Texas Bar No. 24077217
SDTX 1232748
1716A Washington Ave
Houston, Texas 77007
Phone: (281) 501-0610
Fax: (281) 501-0631
Email: cckyle@kylelawgroup.com

**SOCIAL SECURITY ADMINISTRATION
Mid-Atlantic Program Service Center
Philadelphia, Pennsylvania 19123**

CERTIFICATE OF INDEBTEDNESS

Claim No.

James R Rivera for Joseph A Rivera

Total debt due United States as of 09/12/2016: \$3,543.97

I certify that the Social Security Administration's records shows that the debtor named above is indebted to the United States in the amount stated above.

The claim rose in connection with an overpayment of Supplemental Security Income benefits. The overpayment occurred when you failed to report the income for James R Rivera. Supplemental Security Income recipients have earnings limits established that you must not exceed in order to remain eligible for the program. Your income was verified with earnings provided by IRS.

Your income was discovered in 12/2014 that determined you were no longer eligible for SSI causing the unsatisfied indebtedness of \$3543.97. The original overpayment was \$3708.48 then a correction to your record determined that it should be reduced by \$164.51 leaving you the current \$3543.97 balance.

Certification: Pursuant to 28 U.S.C. section 1746, I certify under penalty of perjury that the foregoing is true and correct.

_____ Date _____

Miracle F. Reed
Social Security Administration
Claims Representative